

**REGULAR MEETING
OF
THE PUBLIC SERVICE COMMISSION**

1. A Regular Meeting was called to order by Chairman Dallas Winslow in the Hearing Room, Public Service Commission, 861 Silver Lake Boulevard, Dover, Delaware, on Tuesday, November 5, 2019, at 1:00 p.m. with the following Commissioners in attendance: Joann Conaway, Kim Drexler, Manubhai “Mike” C. Karia, and Harold Gray.

The following Staff members were in attendance: Dr. Raj Barua, Matthew Hartigan, Constance McDowell, Donna Nickerson, Samantha Hemphill, Samantha Misner, Rate Counsel James McC. Geddes, Esq., Deputy Attorneys General William O’Brien, Esq., and Thomas Walsh, Esq.

Before the start of business, Chairman Winslow congratulated and presented Robert Schaefer, PSC Engineer, his twenty years of service award and thanked him for all his hard work for the State of Delaware.

Dr. Barua introduced David Spacht from Artesian Water Company to present the Commission Artesian’s State of the Company. Mr. Spacht was accompanied by Diane Taylor, Nicole Taylor, Joseph DiNunzio, John Thaefer, Pierre Anderson, Karl Randall, Esq., and Jennifer Finch.

Commissioner Drexler moved to approve the meeting minutes from the October 22, 2019 meeting; the motion was seconded by Commissioner Karia and approved 4-0. Commissioner Conaway abstained.

2. CONSENT AGENDA ITEMS

A motion was made by Commissioner Conaway to adopt the following Consent Agenda items as presented:

IN THE MATTER OF THE PETITION OF THE DELAWARE PUBLIC SERVICE COMMISSION STAFF TO OPEN A DOCKET REGARDING THIRD PARTY ELECTRIC SUPPLIER CONSOLIDATED BILLING (FILED MAY 22, 2019) – PSC DOCKET NO. 19-0333

- Commission considered Proposed Order No. 9497.

IN THE MATTER OF THE APPLICATION OF CHESAPEAKE UTILITIES CORPORATION REGARDING ITS ACQUISITION AND CONVERSION OF PROPANE COMMUNITY GAS SYSTEMS (FILED AUGUST 20, 2019) – PSC DOCKET NO. 19-0529

- Commission considered Proposed Order No. 9492.

IN THE MATTER OF THE APPLICATION OF ARTESIAN WATER COMPANY, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WATER SERVICE PURSUANT TO 26 *DEL. C.* §203C.

(“GEORGETOWN32.04, SHINGLEPOINT1.00, SHINGLEPOINT49.00”) (FILED SEPTEMBER 5, 2019) – PSC DOCKET NO. 19-0580

- Commission considered Staff Memorandum and Proposed Order No. 9478.

IN THE MATTER OF THE APPLICATION OF ARTESIAN WASTEWATER MANAGEMENT, INC. FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO PROVIDE WASTEWATER SERVICE PURSUANT TO 26 *DEL. C.* §203D. (“PARK25.00, SHINGLEPT1.00, SHINGLEPT32.04, SHINGLEPT49.00”)

(FILED SEPTEMBER 20, 2019) – PSC DOCKET NO. 19-0609

- Commission considered Staff Memorandum and Proposed Order No. 9494.

The motion was seconded by Commissioner Gray and approved 5-0.

3. REGULAR AGENDA ITEMS

IN THE MATTER OF THE FORMAL COMPLAINT OF RICHARD SPINKS D/B/A GIGGLEBUGS, LLC AGAINST DELMARVA POWER & LIGHT COMPANY REGARDING THE DETERMINATION OF A TARIFF RATE CATEGORY (FILED NOVEMBER 8, 2018) – PSC DOCKET NO. 18-1194

- James McC. Geddes, Esq. appeared on behalf of Staff.
- William O’Brien, Esq. appeared on behalf of the Commission.
- Vicki Goodman appeared on behalf of Delmarva Power & Light Company.
- Eric Wallace appeared on behalf of Clean Energy USA.
- Richard Spinks appeared on behalf of Giggiebugs, LLC.
- Andrew Slater and Regina Iorii, Esq., appeared on behalf of the Division of the Public Advocate
- A motion was made by Commissioner Gray and seconded by Commissioner Karia adopting the Hearing Examiner’s Report as revised, excluding Exhibit A proposed Order, to change the language in Paragraph 25, such that usage for Commercial Net Metering customer means their actual Net usage; the motion was approved 5-0.
- A verbatim transcript was made of this proceeding.

IN THE MATTER OF THE TARIFF FILING BY CHESAPEAKE UTILITIES CORPORATION FOR A NEW RATE SCHEDULE “MVFF” CALLED TOWN OF MILLVILLE FRANCHISE FEE RIDER (FILED SEPTEMBER 18, 2019) – PSC DOCKET NO. 19-0604

- James McC. Geddes, Esq., and Samantha Misner appeared on behalf of Staff.
- Marie Kozel appeared on behalf of Chesapeake Utilities Corporation.
- A motion was made by Commissioner Conaway and seconded by Commissioner Drexler approving proposed Order No. 9494; the motion was approved 5-0.

- A verbatim transcript was made of this proceeding.

4. DIRECTOR'S COMMENTS

- Dr. Barua announced that the Commission would go into Executive Session with the following in attendance: Chairman and Commissioners, Dr. Barua, Matthew Hartigan, Donna Nickerson, Constance McDowell, Samantha Hemphill, Public Advocate Andrew Slater, Regina Iorii, Deputy Attorney General representing the Public Advocate's office Deputy Attorneys General William O'Brien, Esq., and Thomas Walsh, Esq., under 29 *Del. C.* §10004 (b) (4) for purposes of discussing legal strategy or receiving legal advice/update of a privileged or confidential nature.
- A motion to enter into Executive Session was made by Commissioner Conaway and seconded by Commissioner Karia; the motion was approved 5-0.
- After the Commission came out of the Executive Session, a motion was made by Chairman Winslow and seconded by Commissioner Gray to have PSC's Counsel inform Judge Wharton that the PSC does not concur with anything within the confines of the November 5, 2019 letter and that the PSC wants the Court to carry on in its decision-making process. Also, the Executive Director should communicate with the Administration indicating that the PSC's Staff has no opposition to the legislation that is going to be proposed and will support that in Legislative Hall in the next legislative session.; the motion was approved 5-0.
- Dr. Barua announced that the next Commission meeting would be Tuesday, November 14, 2019.

This meeting was adjourned at approximately at 3:45 P.M.

Respectfully submitted,

/s/Donna Nickerson
Secretary